

HOUSE OF REPRESENTATIVES—Monday, February 14, 2005

The House met at noon and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 14, 2005.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:
Lord God, eternal and ever present, You have blessed the history of the United States with the birth, leadership and lasting genius of Abraham Lincoln.

Lincoln's mystic dream of the union of States was bought at a great price.

Lord, his second inaugural address as President, wept over the cost of doing by violence what might have been done by reason.

Human lives, irregardless of color, and property values had gone up in smoke as this country engaged in a civil war ultimately over civil rights.

Lincoln witnessed the terrific human cost it took to redefine the human species no longer as property.

Lord, may this profound reverence for the human dimension remain for this Nation and its people our measuring tape of policy's success or failure, our true bottom line, the most lasting of values for today's world and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 5. An act to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

The message also announced that pursuant to Public Law 100-175, as amended by Public Laws 102-375, 103-171, and 106-501, the Chair, on behalf of the Democratic Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, appoints the following individual to serve as a member of the Policy Committee to the White House Conference on Aging:

Mr. Thomas E. Gallagher of Nevada, vice the Senator from Nevada (Mr. REID).

The message also announced that pursuant to Public Law 106-286, the Chair, on behalf of the President of the Senate, and after consultation with the Democratic Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

The Senator from Montana (Mr. BAUCUS),

The Senator from Michigan (Mr. LEVIN),

The Senator from California (Mrs. FEINSTEIN), and

The Senator from North Dakota (Mr. DORGAN).

The message also announced that pursuant to Public Law 105-83, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the National Council of the Arts:

The Senator from Ohio (Mr. DEWINE).

The Senator from Utah (Mr. BENNETT).

The message also announced that pursuant to Executive Order No. 12131, the Chair, reappoints the following Member to the President's Export Council:

The Senator from Wyoming (Mr. ENZI).

The message also announced that pursuant to Public Law 85-874, as amended, the Chair, on behalf of the President of the Senate, appoints the

following Member to the Board of "Trustee" of the John F. Kennedy Center for the Performing Arts:

The Senator from Mississippi (Mr. COCHRAN), vice the Senator from Alaska (Mr. STEVENS).

The message also announced that pursuant to sections 42 and 43 of title 20, United States Code, the Chair, on behalf of the Vice President, appoints the following individual as a member of the Board of Regents of the Smithsonian Institution:

The Senator from Vermont (Mr. LEAHY).

The message also announced that pursuant to the provisions of Senate Resolution 105 (adopted April 13, 1989), as amended by Senate Resolution 149 (adopted October 5, 1993), as amended by Public Law 105-275 (adopted October 21, 1998), further amended by Senate Resolution 75 (adopted March 25, 1999), amended by Senate Resolution 383 (adopted October 27, 2000), and amended by Senate Resolution 355 (adopted November 13, 2002), and further amended by Senate Resolution 480 (adopted November 20, 2004), the Chair announces, on behalf of the Democratic Leader, the appointment of the following Senators to serve as members of the Senate National Security Working Group for the One Hundred Ninth Congress:

The Senator from West Virginia (Mr. BYRD) (Democratic Administrative Co-Chairman).

The Senator from Michigan (Mr. LEVIN) (Democratic Administrative Co-Chairman).

The Senator from Delaware (Mr. BIDEN) (Democratic Administrative Co-Chairman).

The Senator from Massachusetts (Mr. KENNEDY).

The Senator from Maryland (Mr. SARBANES).

The Senator from North Dakota (Mr. DORGAN).

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84 and Public Law 106-292, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the following Senators to the United States Holocaust Memorial Council for the One Hundred Ninth Congress:

The Senator from Utah (Mr. HATCH);

The Senator from Maine (Ms. COLLINS); and

The Senator from Minnesota (Mr. COLEMAN).

The message also announced that pursuant to Public Law 106-398, as

amended by Public Law 108-7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106-398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore, appoints the following individual to the United States-China Economic Security Review Commission:

Thomas Donnelly of Maryland, for a term expiring December 31, 2006.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. tomorrow for morning hour debates.

There was no objection.

Accordingly (at 12 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 15, 2005, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

795. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — 2004 Ewe Lamb Replacement and Retention Payment Program (RIN: 0560-AH15) received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

796. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Nonrecourse Marketing Assistance Loan and Loan Deficiency Payment Regulations for Honey (RIN: 0560-AH18) received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

797. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Direct Single Family Housing Loans and Grants (RIN: 0575-AC54) received February 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

798. A letter from the Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting the Office's "Major" final rule — Voluntary Separation Incentive Payments (RIN: 3206-AJ76) received February 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARTON: Committee on Energy and Commerce. H.R. 310. A bill to increase the penalties for violations by television and radio broadcasters of the prohibitions

against transmission of obscene, indecent, and profane material, and for other purposes (Rept. 109-5) Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. LEE (for herself, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. PAYNE, Mr. SANDERS, Mrs. MALONEY, Mrs. JONES of Ohio, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Ms. KILPATRICK of Michigan, Mr. CUMMINGS, Ms. WATSON, Mr. CONYERS, Mr. CROWLEY, Mr. KUCINICH, Mr. MCDERMOTT, Mr. WEINER, Mr. GUTIERREZ, Ms. CARSON, Ms. VELÁZQUEZ, Mr. CAPUANO, Mr. GENE GREEN of Texas, Mr. PALLONE, Mr. SERRANO, Ms. KAPTUR, Mr. DAVIS of Alabama, Ms. MCCOLLUM of Minnesota, Ms. BERKLEY, Mr. ABERCROMBIE, Ms. CORRINE BROWN of Florida, Ms. WATERS, Mr. FRANK of Massachusetts, Mr. LYNCH, Ms. WOOLSEY, Mr. BISHOP of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mr. NADLER, Mr. MEEK of Florida, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mr. RANGEL, Mrs. CAPPS, Mr. BUTTERFIELD, Mr. CLAY, Mr. COSTELLO, Mr. GONZALEZ, Ms. NORTON, Mr. LEWIS of Georgia, Mrs. MCCARTHY, Mr. WYNN, and Mr. HASTINGS of Florida):

H.R. 790. A bill to reauthorize the public and assisted housing drug elimination program of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. STARK (for himself and Mr. LATOURETTE):

H.R. 791. A bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMANUEL (for himself, Mr. REYNOLDS, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. EVANS, Mr. STUPAK, Mr. KILDEE, Mr. DINGELL, Mr. ISRAEL, Mr. MEEKS of New York, Mrs. MALONEY, Mr. McNULTY, Ms. SLAUGHTER, Mr. STRICKLAND, Ms. KAPTUR, Mrs. JONES of Ohio, Mr. BROWN of Ohio, Mr. RYAN of Ohio, Mr. DOYLE, Ms. BALDWIN, Mr. JOHNSON of Illinois, Mr. CHOCOLA, Mr. SOUDER, Mr. HOEKSTRA, Mr. CAMP, Mr. ROGERS of Michigan, Mr. McCOTTER, Mr. KENNEDY of Minnesota, Mr. BOEHLERT, Mr. GILLMOR, Mr. ENGLISH of Pennsylvania, Mr. SENSENBRENNER, Mr. PETRI, Mr. GREEN of Wisconsin, Ms. BEAN, Mr. LEVIN, Ms. MCCOLLUM of Minnesota, Mr. SABO, Mr. NADLER, Mr. OWENS, Mr. MURTHA, Ms. MOORE of Wisconsin, Mr. KIRK, Mr. KING of New York, Mr. MCHUGH, Ms. HART, and Mr. GERLACH):

H.R. 792. A bill to authorize appropriations for State programs and activities for the res-

toration of the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILCHREST (for himself, Mr. DELAHUNT, Mr. BASS, Mr. STUPAK, Mr. BRADLEY of New Hampshire, Mr. ALLEN, Mr. SIMMONS, Mr. POMEROY, Mr. CANNON, Mr. SERRANO, Mr. JONES of North Carolina, Mr. VAN HOLLEN, and Ms. BORDALLO):

H.R. 793. A bill to revise certain requirements for H-2B employers and require submission of information regarding H-2B non-immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIJALVA (for himself, Mr. PASTOR, Mr. HAYWORTH, Mrs. NAPOLITANO, Mr. RENZI, Mr. KOLBE, Mr. BACA, and Mr. FLAKE):

H.R. 794. A bill to correct the south boundary of the Colorado River Indian Reservation in Arizona, and for other purposes; to the Committee on Resources.

By Mr. KUHLMAN of New York (for himself, Mr. BOEHLERT, Mr. RANGEL, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BLUNT, Mr. CANTOR, Mrs. CAPPS, Mr. CARDIN, Mr. CASTLE, Mr. CONYERS, Mr. DELAHUNT, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. FARR, Mr. FOLEY, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. GALLEGLY, Mr. GILCHREST, Mr. GILLMOR, Mr. HEFLEY, Mr. HIGGINS, Mr. HINCHEY, Mr. HYDE, Mr. INSLEE, Mr. ISRAEL, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KIND, Mr. KING of New York, Mr. KIRK, Mr. KOLBE, Mr. JEFFERSON, Mr. LAHOOD, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY, Mrs. MCCARTHY, Mr. MCCRERY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. McNULTY, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. NEUGEBAUER, Mr. OXLEY, Mr. PAUL, Mr. PAYNE, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. POMEROY, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. RAMSTAD, Mr. REYNOLDS, Mr. SABO, Mr. SERRANO, Mr. SHAW, Mr. SHAYS, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SNYDER, Mr. SWEENEY, Mrs. TAUSCHER, Mr. TANNER, Mr. TAYLOR of North Carolina, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. WALSH, and Mr. WHITFIELD):

H.R. 795. A bill to direct the Secretary of Transportation to work with the State of New York to ensure that a segment of Interstate Route 86 in the vicinity of Corning, New York, is designated as the "Amo Houghton Bypass"; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY:

H.R. 796. A bill to authorize the Secretary of Homeland Security to make grants to address homeland security preparedness shortcomings of units of municipal and county government; to the Committee on Homeland Security.

By Mr. RENZI (for himself and Mr. MATHESON):

H.R. 797. A bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve